

REMARKS

The last Office Actions have been carefully considered.

It is noted that Claims 22, 23, 25, 27-29, 31-36 are rejected under 35 USC 103(a) over the U.S. patent to Rice in view of the U.S. patent to Meyer.

After carefully considering the Examiner's grounds for rejection of the claims, applicants retained independent Claims 22 and 35 as they were, and rewrote Claim 32 in independent form by including into it the features of independent Claim 22.

It is respectfully submitted that the new features of the present invention as defined in the independent claims currently on file clearly and patentably distinguish the present invention from the prior art applied by the Examiner.

Claim 22 specifically defines a power tool in which a flexible connecting element is formed as a sheet element and is flexibly guided over a slanted surface with a surface contact therebetween.

Claim 35 defines a power tool in which the flexible connecting element which is formed as a sheet element is flexibly guided over a ramp with a surface contact therebetween.

Turning now to the references applied by the Examiner, and in particular to the U.S. patent to Rice, it can be seen that this reference deals with a chain saw extender. In the reference, the first operating switch (5) is connected with a second operating switch (7) by mechanical coupling means which include a flexible connecting element (26).

This reference does not disclose the new features of the present invention as defined in Claims 22 and 35. As shown in the drawings and specifically explained in lines 15-17 in column 3 of the reference, the flexible connecting element is not a sheet element, but instead is formed as a wire or a cable. Thus, this reference does not teach the new feature of the present invention in that the connecting element is formed as a sheet element.

The connecting element disclosed in the reference is not flexibly guided over a slanted surface with a surface contact therebetween. It is completely clear and can be seen from consideration of Figure 4 of the reference, a wire or cable having a smaller diameter can be guided in a jacket having a larger diameter only with a line contact between the outer surface of the

wire or cable and the inner surface of the jacket. Thus, this feature of the present invention is also not disclosed in the patent to Rice.

Finally, the connecting element disclosed in the patent to Rice is not flexibly guided on a slanted surface.

The patent to Meyer discloses an extension handle for electrically powered tool. In the reference the switches are connected by a flexible strip of plastic (36) as shown in the drawings and explained in lines 46-48 in column 2 of the reference. The plastic strip (36) extends through slots of a series of spaced apart guide posts (42).

The slots (43) of the guide posts (42) definitely is not a slanted surface, and the strip (36) definitely is not guided on a slanted surface in a surface contact with the latter. Instead it is flexibly guided through the slots (43) of the discreet, individual, spaced-apart guide posts (42). This reference also does not teach the new features of the present invention which are now defined in Claims 22 and 35.

Both references also does not have a ramp over which the flexible connecting element formed as a sheet element is flexibly guided with a surface contact therebetween.

It is believed to be clear that none of the references disclose the above mentioned new features of the present invention as defined in Claims 22 and 35.

It is further respectfully submitted that the references could not be combined as a matter of obviousness. While in both references a connecting element is flexibly guided, in the patent to Rice a connecting element is a wire or cable, while in the patent to Meyer it is a strip, and definitely these two elements cannot be combined with one another in any manner. They can be only replaced by each other. Also, in the patent to Rice the connecting element is guided through a cylindrical metal jacket, while in the patent to Meyer the connecting element is guided through slots of a plurality of discreet, individual, spaced-apart guide posts. It hardly can be imagined that the cylinder with an cylindrical hole can be somehow combined with the spaced apart posts having individual slots.

Therefore, it is believed that the references cannot be combined with one another as a matter of obviousness.

Even if for some unknown and highly improbable reasons the references were combined, the hypothetical construction produced from such a combination would not lead to the applicant's invention as defined in Claim 22 and 35, in particular it would not lead to a device in which two switches are

connected by a connecting element which is formed as a flexible sheet element that is guided on a slanted surface or a ramp in a surface contact with the latter.

It is respectfully submitted that Claims 22 and 35 should be considered as patentably distinguishing over the art and should be allowed.

The Examiner's attention is respectfully directed to the features of Claim 32. This claim specifically defines that both operating switches are fastened to the same sheet surface of the sheet, which sheet has a first flat sheet surface and a second flat sheet surface. In this construction one of the sheet surfaces serves for connection to the first and second operating switches, while the other flat sheet surface is free from the connections and used exclusively for flexibly guiding the flexible connecting element formed as a sheet element on the selected surface or on the ramp in a surface contract with the latter. Neither the Rice reference nor the Meyer reference disclose a device with two switches, in which both switches are connected exclusively to one flat surface of the sheet-formed connecting element, so as to leave the other flat surface unobstructed and fully available for guiding the sheet-formed connecting element on a slanted surface or a ramp.

It is therefore respectfully submitted that Claim 32 should be considered as patentably distinguishing over the art not only because it depends

on allowable Claim 22, but also because it contains a patentable subject matter per se.

As for the other claims, these claims depend on Claim 22, they share its allowable features, and they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,
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